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**OFFICE OF PETITIONS
ON PETITION**

In re Application of :
Brown :
Application No. 09/821,314 :
Filed: March 29, 2001 :
Attorney Docket No. 10508/001 :
For: LAUNDRY CART :

This is a decision on the petition under 37 CFR 1.137(b), filed October 4, 2004 (certificate of mailing date October 1, 2004), to revive the above-identified application.

The above-identified application became abandoned for failure to fully reply to the to the Notice to File Missing Parts of Nonprovisional Application, mailed May 9, 2001, which required petitioner to submit an executed oath or declaration, a \$65.00 surcharge for the late filing of an executed oath/declaration and a substitute drawing in compliance with 37 CFR 1.84 within an extendable two (2) month period. On July 16, 2001 (certificate of mailing date July 11, 2001), Attorney Joseph N. Breaux submitted an executed declaration and power of attorney, a verified small entity statement, a check for the \$65.00 surcharge, and a check in the amount of \$55.00 for a one month extension of time to reply to the May 9, 2001 Notice. On August 29, 2001, the Office mailed a Notice of Incomplete Reply (Nonprovisional), which reminded petitioner that the substitute drawing requirement was still outstanding and that the original period for reply set in the May 9, 2001 Notice had not been changed. No timely reply was received in the Office. Accordingly, the above-identified application became abandoned on August 10, 2001. A Notice of Abandonment was mailed on October 24, 2003. Applicant's petition to revive under 37 CFR §1.137(a), filed June 21, 2004 (certificate of mailing date June 16, 2004) was dismissed on August 13, 2004 for failure to show that the entire delay in responding to the May 9, 2001 Notice was unavoidable.

With the instant petition, applicant has submitted the petition fee and a statement that the entire delay in responding to the May 9, 2001 Notice was unintentional. A sheet of drawing containing Figure 1, the reply, was filed on June 21, 2004 (certificate of mailing date June 16, 2004).

The petition to revive under 37 CFR §1.137(b) is **GRANTED**.

After the mailing of this decision, the application file will be returned to the Office of Initial Patent Examination for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3230.



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for Patent Examination Policy